

Message Text

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PAGE 01 STATE 178642
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DRAFTED BY L:M B FELDMAN:LHS

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FM SECSTATE WASHDC

TO AMEMBASSY CARACAS IMMEDIATE

UNCLAS STATE 178642

FOLLOWING REPEAT GENEVA 6402 ACTION SECSTATE
INFO USUN NY 28 JUL 77

QUOTE

UNCLAS GENEVA 6402

E.O. 11652: N/A

TAGS: ECOSOC, EGEN, UN, EINB

SUBJECT: 63RD ECOSOC: ILLICIT PAYMENTS

FOLLOWING IS TEXT OF POSSIBLE ECOSOC RESOLUTION ON
CORRUPT PRACTICES NEGOTIATED AD REFERENDUM IN CONTACT
GROUP WITH G-77. PREAMBULAR SECTION NOT DISCUSSED BUT REPRESENTS
OUR EFFORTS AT STRICT NEUTRALITY.

CORRUPT PRACTICES, PARTICULARLY ILLICIT PAYMENTS, IN
INTERNATIONAL COMMERCIAL TRANSACTIONS
THE ECONOMIC AND SOCIAL COUNCIL

RECALLING GENERAL ASSEMBLY RESOLUTION 3514 (XXX) WHICH INTER
ALIA CONDEMNED ALL CORRUPT PRACTICES, INCLUDING BRIBERY BY TRANS-
NATIONAL AND OTHER CORPORATIONS, THEIR INTERMEDIARIES
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AND OTHERS INVOLVED,

RECALLING FURTHER COUNCIL RESOLUTION 2041 (LXI) WHICH ESTABLISHED
THE AD HOC INTERGOVERNMENTAL WORKING GROUP TO CONDUCT AN EXAMINATION
OF THE PROBLEM OF CORRUPT PRACTICES, IN PARTICULAR BRIBERY, IN
INTERNATIONAL COMMERCIAL TRANSACTIONS BY TRANSNATIONAL AND OTHER
CORPORATIONS, THEIR INTERMEDIARIES AND OTHERS INVOLVED, TO ELABORATE

IN DETAIL THE SCOPE AND CONTENT OF AN INTERNATIONAL AGREEMENT TO PREVENT AND ELIMINATE ILLICIT PAYMENTS, IN WHATEVER FORM, IN CONNECTION WITH INTERNATIONAL COMMERCIAL TRANSACTIONS AS DEFINED BY THE WORKING GROUP, AND TO SUBMIT A REPORT TO THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTY-THIRD SESSION, NOTING THE REPORT OF THE AD HOC INTERGOVERNMENTAL WORKING GROUP SUBMITTED TO THE SIXTY-THIRD SESSION OF THE ECONOMIC AND SOCIAL COUNCIL, (DOCUMENT E/6006)

1. REAFFIRMS THAT THE FORMULATION OF A CODE OF CONDUCT BY THE COMMISSION ON TRANSNATIONAL CORPORATIONS SHOULD BE GIVEN THE HIGHEST PRIORITY AND THAT THE CONCLUSION OF AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS SHOULD IN NO WAY INTERFERE WITH OR DELAY THAT PRIORITY; URGES ALL STATES TO MAKE THEIR BEST EFFORTS TO EXPEDITE THE FORMULATION OF THE CODE OF CONDUCT; AND, REQUESTS THE SECRETARY GENERAL TO MAKE ADEQUATE PROVISIONS FOR THE NECESSARY MEETINGS OF THE WORKING GROUP ON A CODE OF CONDUCT.

2. DECIDES:

(A) TO CONTINUE THE AD HOC INTERGOVERNMENTAL WORKING GROUP ON THE PROBLEM OF CORRUPT PRACTICES SO THAT IT MAY COMPLETE ITS TASK;

(B) TO EXPAND THE MEMBERSHIP OF THE AD HOC INTERGOVERNMENTAL WORKING GROUP TO INCLUDE ALL INTERESTED MEMBER STATES, PROVIDED THAT THE WORKING GROUP SHALL MEET ONLY IF A QUORUM OF INTERESTED UNCLASSIFIED

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STATES FROM EACH INTERESTED GEOGRAPHICAL GROUP IS REPRESENTED;

(C) THAT THE AD HOC INTERGOVERNMENTAL WORKING GROUP SHALL MEET AS NECESSARY IN 1977 AND 1978 IN ORDER TO COMPLETE ITS TASK IN ACCORDANCE WITH ITS ORIGINAL MANDATE (E/2041/LXI).

3. DECIDES THAT THE WORKING GROUP SHOULD DRAFT AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS AND, IN THIS REGARD, CONSIDER ALL THE ISSUES DEFINED BY THE WORKING GROUP IN DOCUMENT E/6006.

4. CALLS ON THE WORKING GROUP TO REPORT TO THE 65TH SESSION OF THE ECONOMIC AND SOCIAL COUNCIL AND ALSO TO SUBMIT A REPORT TO THE FOURTH SESSION OF THE COMMISSION ON TRANSNATIONAL CORPORATIONS FOR ITS CONSIDERATION AND COMMENT.

5. RECOMMENDS THAT THE GENERAL ASSEMBLY DECIDE, WHEN IT IS DEEMED APPROPRIATE, TO CONVENE A PLENIPOTENTIARY CONFERENCE IN ORDER TO CONCLUDE AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS.

END TEXT

VANDEN HEUVEL.

UNQUOTE VANCE.

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Disposition Action: n/a
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